HON'BLE SRI JUSTICE S.ANANDA REDDY

WRIT PETITION No.21462 of 2005

06-12-2005

Between:

Vuyyuru Venkata Reddy

…Petitioner.

And

The Government of A.P., rep.by its

Secretary, Revenue Department,

Secretariat, Hyderabad and others.

…Respondents.

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HON'BLE SRI JUSTICE S.ANANDA REDDY

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ORDER :

This writ petition is filed by the petitioner seeking Writ of Mandamus directing the respondents herein to accept a sum of Rs.67,650/- towards the alleged deficit stamp duty in respect of Document No.P-74/204 pending before the fourth respondent herein and release the same upon registration, subject to the result of the revision case No.CCRA-1/20279/2004 pending before the second respondent herein without prejudice to the rights of the petitioner.

According to the petitioner, he purchased certain property and obtained a conveyance deed, which was presented for registration. It is stated that the fourth respondent kept the document pending. While so, proceedings were issued by the fourth respondent requiring the petitioner to deposit Rs.67,650/- towards the alleged deficit stamp duty. Aggrieved by that, the petitioner filed a revision before the Chief Controlling Revenue authority-cum-Commissioner and Inspector General of Registration & Stamps, the second respondent herein, and the same is pending. It is stated that the disposal of the revision may take some time, therefore, the petitioner is prepared to pay the deficit stamp duty without prejudice to his right to prosecute the revision, which is pending before the second respondent, and the deposit shall be subject to outcome of the revision and on such deposit, the fourth respondent may be directed to register the document and release the same in favour of the petitioner.

Heard learned counsel for the petitioner and the learned Government Pleader for Revenue and the learned Government Pleader has represented that he has no objection for such course as pleaded by the petitioner.

Accordingly the writ petition is disposed of directing the petitioner to deposit the deficit stamp duty, as demanded by the fourth respondent, within a period of two weeks from the date of receipt of a copy of this order, and on such deposit the fourth respondent is directed to register the document and release the same to the petitioner within a period of one week from the date of such deposit. However, the deposit made by the petitioner shall be without prejudice to his right to claim that he is not liable to pay such deficit stamp duty as claimed in the revision, which is

pending before the second respondent. No costs.

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(S.ANANDA REDDY,J)

06-12-2005.

NOTE: Issue C.C. within two days.

(B/o)

Msr.

HON'BLE SRI JUSTICE S.ANANDA REDDY

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(Msr)

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